

Application No.: 09/745,751
Amendment Rule 111 dated September 29, 2005
Reply to Office Action dated June 29, 2005
Attorney Docket No.: 3486-018

EXHIBIT G

Oscar GHELBER, MD



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/745,751 Confirmation No.: 1104
Applicant : HOCHMAN, Mark N.
Filed : December 21, 2000
TC/A.U. : 3763
Examiner : HAYES, Michael J.

Docket No. : 3486-018
Customer No. : 22440

DECLARATION UNDER 37CFR 1.132

I, OSCAR GHELBER, MD, hereby make the
following declaration in support of the above-named application:

1. I reside at 3541 BRADFORD ST. HOUSTON TX 77025
2. I am a licensed physician and I have been practicing Medicine for 17 years.
3. I have written and published many articles in the field of medicine, including articles related to Anesthesiology. I have also reviewed many articles in this field and I am frequent lecturer, having made presentations all over the world.
4. A copy of current Curriculum Vitae is attached providing more details of my background and expertise in the field of dentistry.
5. One problem in the field of medicine and more particularly, during the injection of an anesthetic into a living tissue prior to performing dental procedures pertains to needle

bending. As a needle is introduced through tissues to a preselected site for delivering an anesthetic, it frequently bends. This action causes discomfort in the patient and pain. In many instances, a patient either stiffens up, or, worse, tries to move involuntary away from the needle, or close his mouth, thereby causing even more discomfort.

6. Recently, Dr. Mark Hochman disclosed to me his invention, that solves the problem of needle bending. More specifically, Dr. Hochman has disclosed to me:

a method of injecting a drug into a patient through a needle having a lumen comprising the steps of:

advancing said needle into the tissue linearly along a longitudinal axis of the needle;

simultaneously rotating the needle along its longitudinal axis to reduce deflection of the needle; and


injecting the drug.

7. Initially, I had some doubts that this procedure would work. However, I have tried this technique at least 15 times on patients and I found that it is very effective in reducing needle bending and, subsequently, in reducing or eliminating patient discomfort and pain.

8. I found that for the procedure was effective as long as I kept the needle rotating to change the orientation of the bevel of the needle in somewhat continuous manner

during the insertion, and that the total angle of rotation of the needle, or whether it was rotated only in a single direction, or back and forth, did not matter that much. I found that it was very easy for me to determine intuitively how much to rotate the needle from the reaction of the patient. More particularly, if I did not rotate the needle enough to prevent it from bending, the patient became uncomfortable as indicated by his body language and other indicia, including verbal communication from the patient, Because of this immediate voluntary or involuntary feedback from the patient, it was very easy to adjust the procedure to each patient as required.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


_____, M.D.

Date: 9.1. 2005

Curriculum Vitae and Bibliography

September1, 2005

NAME: Oscar Ghelber, M.D.

PRESENT TITLE: Assistant Professor
Department of Anesthesiology
The University of Texas Medical School – Houston

ADDRESS: 6431 Fannin, #5.020
Houston, TX 77030

BIRTHDATE: October 19, 1962

CITIZENSHIP: State of Israel

UNDERGRADUATE EDUCATION:
Jassy Medical School, Jassy, Romania 1981-1987

GRADUATE EDUCATION:
Tel Aviv University, Sackler Faculty of Medicine School of 1990-1994
Continuing Medical Education, Tel Aviv, Israel

POSTGRADUATE TRAINING:
Residency: Department of Anesthesiology, 1989-1994
Soroka Medical Center, Beer Sheva Israel

MILITARY SERVICE:
Basic training and medical officers' course 1994-1995
Israel Defense Forces

Medical Officer at one of the Battalions 1995
Israel Defense Forces

PROFESSIONAL EXPERIENCE

Bacau County Hospital, Bacau, Romania 1987-1988
INTERNSHIP

Department of Anesthesiology, 1989-1994
Soroka Medical Center, Beer Sheva, Israel
ANESTHESIOLOGY RESIDENT

Rabin Medical Center, 1995
Schneider Children Medical center Of Israel
(CONCURRENTLY COMPLETED RESIDENCY AS AN ATTENDING)

Section of Pediatric Anesthesiology, 1995-2003
Schneider Children's Medical Center of Israel, Petah Tiqwa, Israel
ATTENDING ANESTHESIOLOGIST

Department of anesthesiology 2003-present
UT, Houston, Texas
ASSISTANT PROFESSOR OF ANESTHESIOLOGY

LAN G U A G E S

Romanian - mother tongue

English, Hebrew - fluent

French – basic+

ACADEMIC APPOINTMENTS:

Assistant Professor 5/03-present
University of Texas Medical School-Houston

HOSPITAL APPOINTMENTS:

Attending Anesthesiologist 5/03-present
Memorial Hermann Hospital
Houston, Texas

Lyndon B. Johnson Hospital 5/03-present
Houston, Texas

LICENSURE: Texas Faculty Temporary Permit #40245

Step 1 USMLE: pass, one attempt, September 2004-95%
Step 2 CK USMLE: pass, one attempt, October 2004-98%
Step 2 CS USMLE: pass, one attempt, November 2004
Step 3 USMLE pass, one attempt, April 2005

CERTIFICATION:

Board Certified in Anesthesiology (L.N. 14646), Israel 1996

PROFESSIONAL ORGANIZATIONS:

Israel Society of Anesthesiologists
Israel Medical Association
Society for technology in Anesthesia

CURRENT TEACHING RESPONSIBILITIES:

Resident Clinical Teaching
Subspecialty, Pediatric Anesthesia

PUBLICATIONS:

Katz J., Halimi P., Efrat R., Rubin S., Gal M. and Ghelber O: Bupivacaine/Fentanyl continuous epidural infusion for postoperative analgesia in children. Minisynposium on Paediatric Anaesthesia, Bucharest, Romania, May 18-21, May 1995

Ghelber O., Ghelber D., Katz Y., and Gal M.: Confusion technique improves mask acceptance score in midazolam premedicated children. 7th European cCongress of Hypnosis, Budapest, Abstract book p. 49, June 17-23, 1996

Ghelber O., Gal M., Katz Y: Clonic convulsions in a neonate after propofol anaesthesia. Paediatric Anaesthesia, 7 (1):88, 1997

Katz J., Metzner J., Steinberg R., Ghelber O., Gal M.T.: Maintaining normothermia in infants undergoing major surgery with novel computer-controlled circular water warming device (Allon 2001 system with thermowrap). Austrian International Congress (Austrian Society of Anaesthesiology, Resuscitation and Intensive Care Medicine-OGARI), Vienna, Austria, September 11-13, 2002.

Katz J., Gal, M.T., Metzner J., Kachko L, and Ghelber O.: New Thermoregulation system maintains intraoperative normothermia in infants. 8th International Congress of Cardiothoracic and vascular anesthesia, and the 19th International Congress of the Israel Society of Anesthesiologists, Tel Aviv, Israel, November 10-13, 2002

Dagan O, Birk E, Katz Y, Gelber O, Vidne B.
Relationship between caseload and morbidity and mortality in pediatric cardiac surgery--a four year experience.
Isr Med Assoc J. 2003 Jul;5(7):471-4.

Erez E, Dagan O, Georghiou GP, Gelber O, Vidne BA, Birk E.
Surgical management of aortopulmonary window and associated lesions
Ann Thorac Surg. 2004 Feb;77(2):484-7

Birk E, Sharoni E, Dagan O, Gelber O, Georghiou GP, Vidne BA, Erez E
The Ross procedure as the surgical treatment of active aortic valve endocarditis.
J Heart Valve Dis. 2004 Jan;13(1):73-7

O. Ghelber, R. Gebhard, P. Szmuk and C. Hagberg
Identification of the epidural space utilizing continuous pressure measurement with the CompuFlo ® device
Presented at: STA meeting, Oct 23-27 2004, Las Vegas, USA

O. Ghelber, R. Gebhard, C. Hagberg, P. Szmuk, D. Adebayo
Use of CompuFlow® for the identification of the epidural space - a preliminary study
Presented at: STA meeting, January 13-15 2005 Miami, USA

Peter Szmuk, Oscar Ghelber, Ozan Akca and Tiberiu Ezri
Use of CobraPLA after failure of LMA as a conduit for flexible bronchoscopy in a child under general anaesthesia
Br J Anaesth. 2005 Apr;94(4):548-9

O. Ghelber, R. Gebhard, C. Hagberg, P. Szmuk, D. Adebayo, D.G. Iannucci
Use of CompuFlow® for the identification of the epidural space - a pilot study
Presented at 79th IARS meeting, March 11-15, Honolulu, Hawaii

O. Ghelber, R. Gebhard, P. Szmuk, C. Hagberg, D.G. Iannucci
Identification of the epidural space - a pilot study of a new technique
Presented at 79th IARS meeting, March 11-15, Honolulu, Hawaii

Will be featured in Anesthesiology News

P. Szmuk, M. Matuszcak, O. Ghelber, M. Rabb, R. D. Warters
Use of Cobra® for management of difficult airway in two infants
Presented at 79th IARS meeting, March 11-15, Honolulu, Hawaii

P. Szmuk, M. Matuszcak, O. Ghelber, D. Maposa, M. Rabb, D. I. Sessler
CobraPLA versus disposable LMA in pediatric patients: a preliminary comparative study
Presented at 79th IARS meeting, March 11-15, Honolulu, Hawaii
Best of section abstract

RESEARCH PROGRAMS

Identification of the Epidural Space during Epidural Anesthesia Utilizing the CompuFlo -
A Pilot Study (principal investigator)

Injections of Local Anesthetics for Peripheral Nerve Blocks Utilizing the CompuFlo
Injection Device - A Pilot Study (coinvestigator)